IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.160 OF 2007

In

SUIT NO.3321 OF 2006

Bhavrilal Chotmal Bohra & Ors. : Plaintiffs

V/s.

Sunanda Parmeshwar Shetty & Anr. : Defendants

...

Mr.S.I.Jaykar i/b. B.D.Kadam for the plaintiffs.

Mr.S.M.Shetty for the defendants.

...

CORAM : S.A.BOBDE, J.

DATE : NOVEMBER 23, 2007.

P.C.

Heard.

2. There is no dispute that presently the defendants are paying a paltry sum of Rs.3,000/- per month from the year 1983 for the hotel. After hearing the matter for sometime, it seems appropriate, in the circumstances, to direct the defendant to pay compensation at the rate of Rs.10,000/- per month to the plaintiffs. In all probabilities, the income from the hotel has increased considerably. This amount shall be paid without prejudice to the rights of either party in the suit. In this view of the matter, the learned counsel does not press prayer clause (C). The Notice of Motion is made absolute in terms of prayer clauses (A) and (B).

S.A. BOBDE, J.